

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN DOE 6

Plaintiff,

v.

THE PENNSYLVANIA STATE UNIVERSITY,
THE SECOND MILE, and GERALD
SANDUSKY,

Defendants.

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: Civil Action No. 13-0336
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ORDER

AND NOW, this _____ day of _____, 2015, upon consideration of defendant The Pennsylvania State University's Motion to Compel Discovery from Plaintiff (the "Motion") and any response thereto, it is hereby ORDERED that the Motion is GRANTED.

It is further ORDERED that plaintiff John Doe 6 shall, within ten (10) days of the date of this Order, produce all documents responsive to Defendant's Second Set of Requests for Production of Documents Directed to Plaintiff John Doe 6.

It is further ORDERED that pursuant to Federal Rule of Civil Procedure 37(a)(5)(A) plaintiff John Doe 6 shall pay defendant The Pennsylvania State University's expenses incurred in making the Motion, including attorney's fees.

Failure to comply with this Order shall subject Plaintiff to sanctions upon further Order of the Court.

IT IS SO ORDERED.

J.

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**DEFENDANT THE PENNSYLVANIA STATE UNIVERSITY'S
MOTION TO COMPEL DISCOVERY FROM PLAINTIFF**

Pursuant to Federal Rules of Civil Procedure 26 and 37 and Local Rule of Civil Procedure 26.1(g), defendant The Pennsylvania State University (the "University") moves this Court for an Order compelling Plaintiff John Doe 6 to produce all documents responsive to Defendant's Second Set of Requests for Production of Documents Directed to Plaintiff John Doe 6 and to pay the University's expenses, including attorney's fees, incurred in making this motion, as required by Rule 37(a)(5)(A).

Pursuant to Federal Rule of Civil Procedure 34(b)(2), Plaintiff John Doe 6 was required to respond to the Document Requests no later than April 20, 2015. On April 22, 2015, Plaintiff requested a seven day extension of time – until April 29th – to respond, to which the University agreed. Plaintiff however, failed to provide his responses by April 29th. On April 30, 2015, Plaintiff said he would have more information to the University's counsel by May 5, 2015. Plaintiff did not do so. Thus, Plaintiff has failed to respond to the Document Requests and failed to provide any indication when he would respond.

Under Local Rule of Civil Procedure 26.1(g), the Court may summarily grant this Motion without waiting for a response from Plaintiff. Accordingly, the University respectfully requests that the Court grant the University's Motion and enter the attached Order.

Respectfully submitted,

/s/ Robert C. Clothier

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Date: May 6, 2015

CERTIFICATE OF SERVICE

I certify that I have filed the foregoing document with ECF and it is available therein for download by counsel for all parties, who are ECF subscribers.

_____/s/ Robert C. Clothier
Robert C. Clothier
Attorney for Defendant
The Pennsylvania State University

Date: May 6, 2015